

# **LIPMAN DECLARATION**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ADAPTIX, INC.,

Plaintiff,  
v.

ALCATEL-LUCENT USA, INC. and  
AT&T MOBILITY LLC,

Defendants.

Civil Action 6:12-cv-00022 (MHS-CMC)

JURY TRIAL DEMANDED

ADAPTIX, INC.,

Plaintiff,  
v.

ALCATEL-LUCENT USA, INC. and  
CELLCO PARTNERSHIP *d/b/a*  
VERIZON WIRELESS,

Defendants.

Civil Action No. 6:12-cv-00122 (MHS-CMC)

JURY TRIAL DEMANDED

ADAPTIX, INC.,

Plaintiff,  
v.

ALCATEL-LUCENT USA, INC. and  
SPRINT SPECTRUM L.P.,

Defendants.

Civil Action No. 6:12-cv-00123 (MHS-CMC)

JURY TRIAL DEMANDED

**DECLARATION OF STEVEN E. LIPMAN IN SUPPORT OF PLAINTIFF'S  
MOTION TO COMPEL SOURCE CODE**

I, Steven E. Lipman, declare as follows:

1. I am counsel with the law firm of Hayes Messina Gilman & Hayes, LLC ("HMGH"), attorneys for Plaintiff, Adaptix, Inc. ("Adaptix"), in the above-styled actions;

2. I submit this Declaration in support of Plaintiff's Motion to Compel Source Code. I am competent to testify to the matters stated in this Declaration and each of the facts is true and correct to the best of my knowledge;
3. Attached as Attachment A is a Table Listing of 31 true and correct cut-and-pasted individual e-mail communications between Adaptix and ALU counsel, numbered as Exhibits 1 through 31, concerning the underlying Motion; and
4. I declare under the pains and penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 31<sup>st</sup> day of March, 2014, at Boston, Massachusetts.

/s/ Steven E. Lipman  
Steven E. Lipman